



PORTAGE COUNTY

MEETING MINUTES

BOARD OF ADJUSTMENT

PORTAGE COUNTY ANNEX
CONFERENCE ROOM 5
1462 STRONGS AVENUE
STEVENS POINT, WI 54481

Monday, September 16, 2024

4:00 PM

REMOTE ATTENDANCE & COMMENT

To attend this meeting by telephone : dial 1-872-242-7813, after dialing the number you will then be asked to enter in a meeting number. Use the following meeting number: 397 137 739, then press #

To attend this meeting by video: [Join the meeting now](#)

The Board of Adjustment will conduct an on-site of the petitioners' premises on Monday, September 16, 2024, prior to the meeting, leaving from the Annex at 3:00pm and arriving at the first on-site (Town of Linwood) approximately 3:15pm, and arriving at the second on-site (Hull) approximately 3:40pm.

CALL TO ORDER

The Board of Adjustment meeting was called to order at 04:06 PM

Members Present: James Garbe , James Hopp, Dennis Meis, Jason Pingel, Brandon Taylor (All in person)

Members Excused:

Members Absent: Paul Cieslewicz

Staff Attending: Chris Mrdutt, Tim Reed, Gayle Stewart

Others Attending: Adam & Jessica Stelzer, Jessica Lazare, Amberle Schwartz, Scott Soik, Mike Duda, Jason Glisczynski, Robert Zdroik, Kathleen Gruber, Elaine Jazdzewski, Leonard Jazdzewski, Dave Wilz, Carl Barden, Don Cisewski, Garth Frost, John Zdroik, Ann Zdroik, and Jim Raasch.

ROLL CALL

PLEDGE ALLEGIANCE TO THE FLAG

CORRESPONDENCE

None received.

PUBLIC NOTICE

Members of the public who wish to address the Committee on specific agenda items must register their request at this time, with such comments subject to the public comment ordinance and the reasonable control of the Committee Chair as set forth in Robert's Rules of Order.

APPROVAL OF MINUTES

1. Approval of Minutes from August 19, 2024 Meeting.

A motion was made by Brandon Taylor, seconded by Jason Pingel, to Approve. Motion to Approve carried by voice vote, with no negative votes.

DISCUSSION/POSSIBLE ACTION

2. Discussion/Possible Action Re: Special Meeting Attendance (Portage County Ordinance 3.1.47 & 3.1.48)

- Request for special meeting attendance
- Approval of attendance of special meetings
- Special meeting attendance reports

No discussion, no action.

PUBLIC HEARINGS

3. Petition No. PET-2024-011, John & Jessica Lazare, Owners, of property located north off Orderinda Court, 740' west of the Orderinda Court and North Second Drive intersection, being part of the NW¼, of the SE¼, Section 7, T24N, R8E, Parcel #020240807-14.05, located in the Town of Hull, wherein a Special Exception and a Variance from the provisions of the Portage County Zoning Ordinance is requested to operate a kennel within 1,000 feet from neighboring residences and to erect a sign greater than six square feet, in the A4 General Agricultural Zoning District.

Mrdutt explained this request requires a variance and special exception. The Town of Hull held several meetings and has submitted recommended conditions if the request is approved.

Jessica Lazare was sworn in and explained her request. Discussion amongst the Board and Lazare.

It was noted there were no members of the public in attendance or online wanting to speak on this matter.

Garbe read into the record correspondence received from Katie Briggs, surrounding property owner, expressing her concerns.

Garbe closed testimony and opened deliberations.

Mrdutt read the variance and special exception standards. Additional discussion amongst BOA; the following was noted:

- Signage size was discussed and will be addressed in the conditions if approved.
- Dog runs were discussed and will be addressed in the conditions if approved.
- Number of dogs permitted outside at one time was discussed; only puppies with the mother or paired dogs will be allowed outside together.

Deliberations closed. Garbe asked for a motion to approve, deny, or postpone.

A motion was made by James Hopp, seconded by Brandon Taylor, to approve the request, with the following conditions:

1. Obtain a Portage County Zoning Permit.
2. Obtain and maintain proper licensing according to Portage County and the State of Wisconsin.
3. All exterior lighting on structures must be downcast and directed away from neighboring residences.
4. Maintain the existing vegetation within 25 feet of the north, south, and east property lines.
5. All exterior dog runs must be fully enclosed with a fence that is a minimum of 6 feet tall. Operators of the kennel will remove dogs from the outside runs if they are barking to mitigate noise from neighboring properties.
6. Customers and staff will have dogs leashed and under control while moving to and from unsecured areas.
7. Sign(s) cannot exceed 32 square feet in size and will be placed outside of public view off Orderinda Court.
8. Only rescue/foster dogs will be cared for in this kennel. This facility cannot operate as boarding (doggie day care), breeding, and/or training kennel.
9. This kennel cannot have more than 15 dogs at any given time.
10. Picking up or dropping off pets will be done by appointment only.

The motion to Approve Passed by the following vote:

5 Yes: James Garbe, James Hopp, Dennis Meis, Jason Pingel, Brandon Taylor

0 No: None

0 Abstain: None

4. Petition No. PET-2024-014, Adam Stelzer, Owner, of property at 1723 County Road C, being part of the NW¼, of the SW¼, Section 35, T24N, R7E, Parcel #024240735-10.02, located in the Town of Linwood, wherein a Special Exception from the provisions of the Portage County Zoning Ordinance is requested to operate an automobile wrecking, recycling, and salvage yard, in the A4 General Agricultural Zoning District.

Mrdutt explained the request from an enforcement standpoint and noted Planning and Zoning Department Staff have been working with enforcement on this property for several years. The Town of Linwood met on this matter, however, took no formal action. The Town also forwarded conditions to be considered if approved by BOA.

Adam & Jessica Stelzer were sworn in. Adam Stelzer explained his request and operation. Lengthy discussion amongst Stelzer and the BOA regarding the operation; what will be done on the property, what will be stored on the property, when certain items will be removed/cleaned up from the property, what type of equipment will be utilized, and how hazardous materials will be stored/dealt with.

The following members of the public gave testimony expressing their concerns with the request: Donald Cisewski, Elaine Jazdzewski, and Kathleen Gruber.

The following Town officials gave testimony regarding the operation: Jason Glisczynski - Plan Commission Chair, Mike Duda - Town Board Supervisor, and Scott Soik - Town Chair.

Additional discussion amongst BOA, Mrdutt, Adam and Jessica Stelzer addressing concerns brought up. It was noted there were no other members of the public, in person or on-line, wanting to speak on this matter at this time.

Garbe read into the record an email received with a statement from Matt Clafin, surrounding property owner, expressing his support for the request. It was again noted there were no other members of the public, in person or online, wanting to speak on this matter.

Additional discussion regarding conditions submitted by the Town of Linwood. Garbe closed testimony and opened deliberations.

Mrdutt read the special exception standards. Lengthy discussion by BOA; the following was noted:

- Timeline for compliance discussed.
- BOA wants compliance before approval.
- BOA could set limits that are easier to enforce.
- It was suggested BOA could postpone the action to a future date and articulate what needs to be done to gain full approval.
- A time limit should be given to eliminate tires and rubbish and other solid waste that is concerning.
- There should be a defined area/size where solid waste can be stored.
- Stelzer questioned the need for limiting the areas where items can be stored.

Garbe closed deliberations and asked for discussion on a motion to approve, deny, or postpone.

Discussion on the timeline to re-hear the request; 90 days, December meeting, or one year. BOA wants to give Stelzer time to work on compliance and show good faith before they reconvene. Stelzer said he needs to work to be able to afford to get rid of items and work on compliance. It was noted some improvements will be better than no improvements. BOA would like to see tires removed, refrigerators and appliances with hazardous materials needs to be removed, solid waste contained to 5,000 square feet in area, and a timeline of three months to show improvements.

A motion was made by Brandon Taylor, seconded by Dennis Meis, to Postpone to the December 16, 2024 Board of Adjustment meeting, where a decision will be made to approve or deny petition PET-2024-014. The Board will look to reconvene and make a decision only if the following benchmarks are completed:

1. Removal of all solid waste to the point it can be contained within 5,000 square feet.
2. Removal of all solid waste that contains potentially hazardous materials that are not able to be contained.
3. Installation of hazardous waste containment system 150% of the volume of hazmat storage systems.
4. Removal of all tires deemed to have no use. Tires with remaining useful life shall be stored indoors.

These conditions are non-final. Other conditions may be attached when the Board reconvenes in December, 2024. The motion to Postpone Passed by the following vote:

3 Yes: Dennis Meis, Jason Pingel, Brandon Taylor

2 No: James Garbe, James Hopp

0 Abstain: None

NEXT MEETING DATE

Tentative - October 21, 2024.

ADJOURNMENT

A motion was made by Dennis Meis, seconded by Brandon Taylor, to adjourn. Motion carried by voice vote.

Meeting adjourned at 06:55 PM

Respectfully submitted,

Gayle Stewart, Recording Secretary

James Hopp, Secretary

Date Approved